

**ORDINANCE NO. 3896-22**

An ORDINANCE AMENDING the Everett Municipal Code to bring it into conformity with recently enacted changes in state housing laws, Relating to Removing Limits on Number of Residents in a Dwelling; AMENDING EMC Chapters 19.04 Definitions, 19.05 Uses, 19.08 Residential Uses and Development Standards, and 19.34 Parking, Loading and Access Requirements.

**WHEREAS,**

- A. Washington State passed several legislative changes to housing-related laws in 2021 including Engrossed Substitute Senate Bill 5235 (SB 5235); and
- B. The Washington State Legislature, in passing SB 5235, found that local regulations, such as occupancy limits on dwelling units, act as arbitrary barriers and restrictions that limit affordable housing opportunities; and
- C. Section 5 of SB 5235, codified in RCW 35.21.682, prohibits a city from regulating or limiting the number of unrelated persons that may occupy a household or dwelling unit with exceptions for group living arrangements regulated by state law or “short-term rentals” and lawful limits on occupant load per square foot or generally applicable health and safety provisions; and
- D. Section 5 of SB 5235 Housing Unit Inventory-Removing Limits became effective July 25, 2021; and
- E. Amendments are necessary for the city’s development regulations to be consistent with SB 5235; and
- F. Amendments to the city’s development regulations and procedural provisions are included to improve clarity, consistency, and usability; and
- G. This ordinance is consistent with and supportive of goals, policies, and implementation strategies in the Everett Comprehensive Plan, including:
  - a. **Housing Element Goal 4.0** The goal of the Housing Element is to provide sufficient housing opportunities to meet the needs of present and future residents of Everett for housing that is decent, safe, accessible, attractive and affordable.
  - b. **Housing Element Objective 4.10** The City shall provide land use designations and policies that provide sufficient capacity and a conditional target to accommodate a 2035 population of at least 165,000, and a default population growth target of 143,000 for the Everett city limits (as of 2015), and the population growth target of 47,156 for the unincorporated portion of the Everett Municipal Urban Growth Area (MUGA).

- c. **Housing Element Policy 4.1.11** Support reasonable housing accommodation for people with special needs in all areas, and avoid concentrations of such housing while protecting residential neighborhoods from adverse impacts.
- H. The amendments to development regulations (unified development code) contained in this ordinance were prepared following the procedural requirements in EMC 15.02.095 and EMC 15.03.300(C); and
- I. The Planning Commission held briefings on the proposal on April 19, 2022, May 17, 2022, and June 21, 2022, and held a public hearing on the matter on July 19, 2022; and
- J. The Planning Commission, after hearing from the public and deliberating, voted to approve Resolution 22-003 on July 19, 2022, recommending the city council approve the amendments contained in this ordinance; and
- K. The proposal has been properly noticed and evaluated consistent with state law and city code; and
- L. City staff reviewed the proposal under the requirements of the State Environmental Policy Act, completed an environmental checklist, and issued a Determination of Non-Significance on June 23, 2022. No comments were received by the end of the comment period and no appeals were filed by the end of the appeal period date of July 22, 2022; and
- M. Notice of the proposed amendments was sent to the Washington State Department of Commerce on June 23, 2022, for the required 60-day review. The Department provided a suggestion that has been considered and addressed; and
- N. The amendments contained in this ordinance are consistent with the Growth Management Act; and
- O. The amendments contained in this ordinance are consistent with and supportive of the multicounty planning policies in VISION 2050; and
- P. The amendments contained in this ordinance are consistent with and supportive of the countywide planning policies; and
- Q. The amendments contained in this ordinance are consistent with and supportive of goals, objectives, and policies in the city's comprehensive plan; and
- R. The code amendments meet the applicable criteria in EMC 15.03.300(C)(4):
  - 1. The public health, safety and welfare will be provided for by these unified development code amendments; and
  - 2. The proposed amendment bears a substantial relation to public health, safety or welfare; and
  - 3. The proposed amendments promote the best long-term interest of the Everett community.

**NOW, THEREFORE, THE CITY OF EVERETT DOES ORDAIN:**

**Section 1.** Subsection EMC 19.04.020 “Family”, which reads as follows:

“Family” means any number of persons related by blood, marriage or legal adoption and including foster children and exchange students living together as a single housekeeping unit. “Family” also means the following when living together as a single, not-for-profit housekeeping unit:

1. A group of not more than four related and unrelated adults and their related minor children, but not to exceed a total of eight related and unrelated persons; or
2. Not more than eight disabled persons, whether adults or minors, living together in a consensual residential living arrangement, but not to exceed a total of eight persons; or
3. State licensed adult family homes as defined by RCW 70.128.010; or
4. State licensed foster family homes and group care facilities as defined in RCW 74.15.020.

For the purposes of this definition, an adult is a person eighteen years of age or older, and a minor child is a person under the age of eighteen years old.

is hereby repealed.

**Section 2.** Subsection EMC 19.04.030 “Dwelling” is hereby amended as follows, with strikeout text deleted and underlined text added:

“Dwelling” means one or more habitable rooms ~~which are~~ designed to be occupied by one family or more persons with shared facilities for living, sleeping, cooking, eating, and sanitation, which meets the minimum requirements of EMC Title 16 Building and Construction ~~the Everett Housing Code~~, and in which all habitable rooms are internally accessible from within the dwelling.

**Section 3.** Subsection EMC 19.04.050 “Bed and Breakfast House”, which reads as follows:

“Bed and breakfast house” means an owner-occupied dwelling which is used to provide overnight guest lodging in not more than five guest rooms and which usually provides a morning meal as part of the room rate structure.

is hereby repealed.

**Section 4.** Subsection EMC 19.04.050 “Dwelling unit”, which reads as follows:

“Dwelling unit” means a residential living unit that provides complete independent living facilities for one or more persons and that includes permanent provisions for living, sleeping,



cooking, eating, and sanitation, which meets the minimum requirements of the Everett Housing Code, and in which all habitable rooms are internally accessible from within the dwelling.

is hereby repealed.

**Section 5.** Subsection EMC 19.04.050 “Group housing, category 1” is hereby amended as follows, with strikeout text deleted and underlined text added:

“Group housing, residential care facility ~~Category 1~~” means a state-licensed residential care facility designed to serve as the primary residence for ~~up to six~~ individuals and two resident staff, which has shared living quarters without separate bathroom and/or kitchen facilities for each unit.

**Section 6.** Subsection EMC 19.04.050 “Group housing, category 2”, which reads as follows:

“Group housing, Category 2” means a state-licensed residential care facility designed to serve as the primary residence for seven to sixteen individuals and resident staff, which has shared living quarters without separate bathroom and/or kitchen facilities for each unit.

is hereby repealed.

**Section 7.** Subsection EMC 19.04.050 “Group housing, category 3” is hereby amended as follows, with strikeout text deleted and underlined text added:

“Group housing, extended care ~~facility Category 3~~” means a state-licensed extended care facility, including an assisted living facility, congregate care facility, nursing or convalescing home, and any other group housing serving more than sixteen individuals.

**Section 8.** Subsection EMC 19.04.050 “Rooming house”, which reads as follows:

“Rooming house” means a structure used for the purpose of providing lodging or lodging and meals, for persons other than those under the “family” definition, for a period longer than thirty days. This term includes cooperative housing and similar establishments but does not include hotels, motels, medical care facilities or bed and breakfast inns.

is hereby repealed.

**Section 9.** Subsection EMC 19.04.050 “Short-term rental” is hereby amended as follows, with strikeout text deleted and underlined text added:

“Short-term rental” means the use of an entire dwelling unit or portion thereof by any person or group of persons to occupy for rent for a period of less than thirty consecutive days. Short-term rentals do not include ~~bed and breakfast inns~~, hotels ~~and or~~ or motels.

**Section 10.** Subsection EMC 19.04.050 “Hotel” or “motel” is amended as follows, with strikeout text deleted and underlined text added:





“Hotel” or “motel” means a transient accommodation offering three or more lodging units to guests for periods of less than thirty days, and may also provide incidental services such as restaurants, meeting rooms or recreational facilities. ~~Also see “Bed and breakfast inns.”~~

**Section 11.** EMC 19.05.080 Table 5-1 is hereby amended as shown in Exhibit 1, with strikeout text deleted and underlined text added.

**Section 12.** EMC 19.08.130, which reads as follows:

**19.08.130 Boarding and rooming.**

In the R-S, R-1, R-2 or R-2(A) zones, rental of rooms for lodging is limited to two roomers. There shall be no separate kitchen facilities in rented rooms.

is hereby repealed.

**Section 13.** EMC 19.08.130, which reads as follows:

**19.08.140 Bed and breakfast house.**

The following standards apply to a bed and breakfast house located in a residential or agricultural zone:

- A. The bed and breakfast house shall be conducted in such a manner as to give no outward appearance nor manifest any characteristics of a business, in the ordinary meaning of the term, that would infringe upon the right of the neighboring residents to enjoy a peaceful occupancy of their homes. The bed and breakfast house shall be operated within the principal structure and not in any accessory structure.
- B. The owner shall be the operator of the facility and shall reside on the premises.
- C. There shall be no more than five guest rooms for persons other than the members of the immediate family of the operator.
- D. There shall be no cooking facilities permitted in guest rooms.
- E. The maximum stay permitted for guests shall not exceed ten consecutive days.
- F. In considering an application for a bed and breakfast house, the review authority shall consider the impact that noise and traffic from the proposed bed and breakfast house would have on the neighborhood in which the house is located. Within these zones, the review authority shall have the authority to deny an application if the noise or traffic generated by a bed and breakfast house would infringe upon the right of the neighboring residents to enjoy a peaceful occupancy of their homes; or if the street system is not sufficient to provide emergency vehicle access to the bed and breakfast house and other neighboring properties.

is hereby repealed.

**Section 14.** EMC 19.08.150 is hereby amended as follows, with strikeout text deleted and underlined



text added:

Short-term rentals shall comply with the following provisions:

~~A. Short-term rentals are the use of an entire dwelling unit by any person or group of persons to occupy for rent for a period of less than thirty consecutive days. Short-term rentals do not include bed and breakfast inns, hotels and motels.~~

~~A~~ B. License Required. A city business license is required to operate a short-term rental. No more than two short-term rental sites may be operated by any individual, marital group, a group of people, or a corporate entity such as an LLC, within the city.

~~B~~ C. Location. A short-term rental use may be located in a dwelling unit or an accessory dwelling unit. See EMC 19.08.100 for applicable accessory dwelling unit requirements, including owner-occupancy if applicable.

~~C~~ D. Number of Guests. The total number of ~~residents and~~ guests occupying a dwelling unit may not exceed eight, including any site with an accessory dwelling unit.

~~D~~ E. Signs. No signs identifying the use as a short-term rental are permitted.

~~F. Off-Street Parking.~~ The short-term rental shall have no less than three off-street parking spaces for any site with on-street parking in front of the site, and no less than four off-street parking spaces for any site without on-street parking in front of the site.

**Section 15.** EMC 19.34.020 Table 34-1 is hereby amended as follows:

**19.34.020 Required off-street parking spaces.**

The minimum number of required off-street vehicle parking spaces shall be determined in accordance with Table 34-1, unless otherwise set forth in this chapter.

**Table 34-1: Off-Street Parking Spaces Required**

Land Use	Minimum Parking Spaces Required*
<b>RESIDENTIAL</b>	<i>Spaces per dwelling unit unless otherwise indicated</i>
Accessory dwelling unit	1, plus required space(s) for principal dwelling; see EMC 19.34.050(C) for exceptions
<del>Bed and breakfast house</del>	1 per guest room, plus required space(s) for dwelling
<del>Boarding or rooming house, d</del> Dormitories	1 per 3 bedrooms
Day care, family home or adult family home	2 per dwelling unit, plus 1 for each staff person on shift not living on premises
Dwelling, micro-housing	1 per 2 dwelling units
Dwelling, multifamily	See multifamily (EMC 19.34.025)



Land Use	Minimum Parking Spaces Required*
Dwelling, single-family (1-unit) detached	2 per dwelling unit; where access is from a private drive: 3 per dwelling unit, except 2 per dwelling on a full-frontage lot that has on-street parking
Dwelling, 2- to 4-unit attached; cottage housing	
Group housing, <del>residential care facility (Category 1 or 2); or rooming house</del>	1 per 4 bedrooms, plus 1 per every 2 employees on shift (2 spaces minimum)
Group housing, <u>extended care facility (Category 3)</u> , including independent living units in congregate care facility, convalescent or nursing homes	Independent Living Units: 0.75 per dwelling unit or see exception in EMC 19.34.050(D) Congregate care, nursing home, etc. where people are assisted with daily activities: 1 for each 4 beds
Permanent supportive housing	As determined by planning director and city engineer, with no less than a minimum of 1 per 4 bedrooms, plus 1 per every 2 employees on shift (2 spaces minimum). When allowed to be less than required for multiple-family housing, must be located within 1,320 feet walking distance of public transit stop, with pedestrian access on sidewalk or safe walking path.
Live/work unit	1 per unit, plus 1 additional space for any unit with 1,500+ square feet of gross floor area
Senior housing	0.75 per dwelling unit
Short-term rentals	<u>For rental of an entire dwelling unit: three off-street parking spaces for any site with on-street parking in front of the site, or and no less than four off-street parking spaces for any site without on-street parking in front of the site.</u> <u>For rental of rooms within a dwelling unit: one off-street parking space per guest room.</u> See EMC 19.08.150
COMMERCIAL USES	<i>Spaces per square feet of gross floor area of building unless otherwise indicated</i>
Auto, small truck, boat, motorcycle, RV maintenance	1 per 750 square feet
Commercial storage (e.g., ministorage, self-storage)	1 per 6,000 square feet (not including office) - loading lanes may be included as required parking spaces if not left unattended
Day care center, commercial	Whichever is greater: 1 for each 10 children or 2 for each 3 employees on shift; in addition, 1 vehicle loading space for each 20 children
Entertainment	1 per 5 seats or 1 per 400 square feet, whichever is greater





Land Use	Minimum Parking Spaces Required*
(e.g., theaters, clubs, and other completely enclosed amusement uses)	
Food or beverage establishment	1 per 200 square feet
Health club or athletic facility	1 per 300 square feet
Lodging (hotels/motels)	1 per guest room
Medical office and clinics, including: - medical and dental offices, clinics, alternative health care	1 per 300 square feet
Office use, including: - general office; laboratories; financial institutions	1 per 400 square feet
Outdoor recreation, commercial	As determined by planning director and city engineer based on parking analysis
Retail trade and services, bulky merchandise (appliance, furniture)	1 per 1,000 square feet
Retail trade and services, general trade	1 per 400 square feet
Retail trade and services, outdoor including: - auto, boat or trailer sales, retail nurseries, lumberyards, and similar bulk retail uses	1 per 1,000 square feet
<b>PUBLIC AND INSTITUTIONAL USES</b>	
Clubs, lodges, similar uses	1 per 3 persons allowed by building and/or fire codes in the main assembly room or auditorium, plus any parking necessary for eating, drinking establishment on premises
Community and regional parks and recreational facilities	As determined by planning director and city engineer based on parking analysis
Government - limited point of service (e.g., public works yards, fire station, vehicle storage, etc.)	As determined by planning director and city engineer based on parking analysis
Government - administrative and service	As determined by planning director and city engineer based on parking analysis
Hospitals	As determined by planning director and city engineer based on parking analysis
Neighborhood parks and recreational facilities	As determined by planning director and city engineer based on parking analysis
Places of worship or religious facility	1 per 5 seats in the main worship area
Schools (public and private)	As determined by planning director and city engineer



Land Use	Minimum Parking Spaces Required*
- elementary and middle, high schools, and institutions of higher education	based on parking and traffic analysis
<b>INDUSTRIAL</b>	
Heavy industrial, manufacturing, or assembly	1 per 1,000 square feet, plus parking for office as required
Light industrial, manufacturing, or assembly	1 per 750 square feet, plus parking for office as required
Warehousing and distribution	1 per 2,000 square feet, plus parking for office as required

\* See exceptions and reductions in EMC 19.34.050 or 19.34.060.

**Section 16.** The following is provided for reference and may not be complete:

EMC Amended/Repealed by this Ordinance	Ordinance History of EMC Amended/Repealed by this Ordinance
EMC 19.04.020	(Ord. 3774-20 § 5(D) (Exh. 3), 2020.)
EMC 19.04.030	(Ord. 3774-20 § 5(D) (Exh. 3), 2020.)
EMC 19.04.050	(Ord. 3895-22 § 6, 7)
EMC 19.04.060	(Ord. 3895-22 § 8, 9)
EMC 19.05.080	(Ord. 3774-20 § 5(E) (Exh. 3), 2020.)
EMC 19.08.130	(Ord. 3774-20 § 5(G) (Exh. 3), 2020.)
EMC 19.08.140	(Ord. 3774-20 § 5(G) (Exh. 3), 2020.)
EMC 19.08.150	(Ord. 3774-20 § 5(G) (Exh. 3), 2020.)
EMC 19.34.020	(Ord. 3774-20 § 8 (Exh. 6), 2020; Ord. 3724-20 § 3, 2020; Ord. 3616-18 § 2 (Exh. 1), 2018; Ord. 3895-22 § 19))

**Section 17.** The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers, and any internal references.


**Section 18.** The City Council hereby declares that should any section, paragraph, sentence, clause or phrase of this ordinance be declared invalid for any reason, it is the intent of the City Council that it would have passed all portions of this ordinance independent of the elimination of any such portion as may be declared invalid.

**Section 19.** The enactment of this Ordinance shall not affect any case, proceeding, appeal or other matter currently pending in any court or in any way modify any right or liability, civil or criminal, which may be in existence on the effective date of this Ordinance.

**Section 20.** It is expressly the purpose of this Ordinance to provide for and promote the health, safety and welfare of the general public and not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this Ordinance. It is the specific intent of this Ordinance that no provision or any term used in this Ordinance



is intended to impose any duty whatsoever upon the City or any of its officers or employees. Nothing contained in this Ordinance is intended nor shall be construed to create or form the basis of any liability on the part of the City, or its officers, employees or agents, for any injury or damage resulting from any action or inaction on the part of the City related in any manner to the enforcement of this Ordinance by its officers, employees or agents.

  
\_\_\_\_\_  
Cassie Franklin, Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

PASSED: 9/14/2022

VALID: 9/20/2022

PUBLISHED: 9/23/2022

EFFECTIVE DATE: 10/5/2022



# EXHIBIT 1

19.05.080 Table 5-1 (residential use table).

USE	R-S	R-1	R-2	R-2(A)	UR3	UR4	NB	B	MU	LI1 LI2	HI	AG	SPECIAL REGULATIONS
RESIDENTIAL USES													
Bed and breakfast houses	C <sup>11</sup>	C <sup>11</sup>	C <sup>11</sup>	C	P	P	P	P	P			A	See EMC 19.08.140. <sup>11</sup> Within the R-S, R-1 and R-2 zones, bed and breakfast houses shall be permitted only in homes individually listed on the national, state or Everett historical register. Homes within historic districts which are not individually listed on the national, state or Everett historical register are not eligible to become bed and breakfast houses.
Dormitory					A	P		P <sup>1</sup>	P <sup>1</sup>				<sup>1</sup> TOD streets: Residential use on the ground floor cannot exceed 25% of the street frontage of the block.
Dwelling unit, accessory	P	P	P	P	P	P <sup>5</sup>	P	P		P		P	See EMC 19.08.100, Accessory dwelling units. <sup>5</sup> Allowed if meeting the minimum density requirements set forth in EMC 19.06.100.
Dwelling, 1-unit	P	P	P	P	P <sup>2</sup> <sub>5</sub>	P <sup>2</sup> <sub>5</sub>	P <sup>5</sup>	P <sup>5</sup>	P <sup>5</sup>			P	<sup>2</sup> Allowed on property within a historic overlay zone. <sup>5</sup> Allowed if meeting the minimum density requirements set forth in EMC 19.06.100.
Dwelling, 2-unit	C <sup>4</sup>	P <sup>3</sup>	P <sup>3</sup>	P	P	P <sup>2</sup> <sub>5</sub>	P <sup>5</sup>	P <sup>5</sup>	P <sup>5</sup>			P	See EMC 19.08.030 and 19.08.040, townhouse and duplex standards in single-family zones, and Chapter 19.09 EMC for all other zones. <sup>2</sup> Allowed on property within a historic overlay zone. <sup>3</sup> See Chapter 19.08 EMC for limitations on 2-unit dwellings in the R-1 and R-2 zones. <sup>4</sup> Allowed only through the unit lot process for subdividing, as provided by Chapter 19.27 EMC. <sup>5</sup> Allowed if meeting the minimum density requirements set forth in EMC 19.06.100.
Dwelling, 3- to 4-unit				P	P	P	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	A <sup>6</sup>			See EMC 19.08.030 and 19.08.040, townhouse and duplex standards in single-family zones, and Chapter 19.09 EMC for all other zones. <sup>1</sup> TOD streets: Residential use on the ground floor cannot exceed 25% of the street frontage of the block. <sup>6</sup> Prohibited in the LI2 zone and allowed in the LI1 zone only within Metro Everett. If on a TOD street, residential use on the ground floor cannot exceed 25% of the street frontage of the block.



USE	R-S	R-1	R-2	R-2(A)	UR3	UR4	NB	B	MU	LI1 LI2	HI	AG	SPECIAL REGULATIONS
RESIDENTIAL USES													
Dwelling, multiple-family					P	P	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	P <sup>6</sup>			See Chapter 19.09 EMC for multifamily development standards. <sup>1</sup> TOD streets: Residential use on the ground floor cannot exceed 25% of the street frontage of the block. <sup>6</sup> Prohibited in the LI2 zone and allowed in the LI1 zone only within Metro Everett . If on a TOD street, residential use on the ground floor cannot exceed 25% of the street frontage of the block.
Dwelling, micro-housing						P	A <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	P <sup>6</sup>			<sup>1</sup> TOD streets: Residential use on the ground floor cannot exceed 25% of the street frontage of the block. <sup>6</sup> Prohibited in the LI2 zone and allowed in the LI1 zone only within Metro Everett. If on a TOD street, residential use on the ground floor cannot exceed 25% of the street frontage of the block.
Dwelling, cottage housing					P		P						See EMC 19.08.070, Cottage housing.
Emergency housing <sup>10</sup>	A <sup>9</sup>	A <sup>9</sup>	A <sup>9</sup>	A <sup>9</sup>	A	A	A	A	A	A	A <sup>9</sup>	A <sup>9</sup>	See EMC 19.08.200 <sup>9</sup> Use prohibited, except that pursuant to RCW 35.21.915, a religious organization may host the homeless on property owned or controlled by the religious organization whether within buildings located on the property or elsewhere on the property outside of buildings, subject to the conditions set forth in EMC 19.08.200 and an administrative use permit. <sup>10</sup> Buildings which provide shelter for survivors of domestic violence are allowed as a permitted use in all zones.
Emergency shelter, indoor <sup>10</sup>	A <sup>9</sup>	A <sup>9</sup>	A <sup>9</sup>	A <sup>9</sup>	A	A	A	A	A	A	A <sup>9</sup>	A <sup>9</sup>	See EMC 19.08.200. <sup>9</sup> Use prohibited, except that pursuant to RCW 35.21.915, a religious organization may host the homeless on property owned or controlled by the religious organization whether within buildings located on the property or elsewhere on the property outside of buildings, subject to the conditions set forth in EMC 19.08.200 and an administrative use permit. <sup>10</sup> Buildings which provide shelter for survivors of domestic violence are allowed as a permitted use in all zones.
Emergency shelter, outdoor <sup>10</sup>	A <sup>9</sup>	A <sup>9</sup>	A <sup>9</sup>	A <sup>9</sup>	A <sup>9</sup>	A	A	A			A <sup>9</sup>	A <sup>9</sup>	See EMC 19.08.200. <sup>9</sup> Use prohibited, except that pursuant to RCW 35.21.915, a religious organization may host the homeless on property owned or controlled by the religious organization whether within buildings located on the property or elsewhere on the property outside of buildings, subject to the conditions set forth in EMC 19.08.200 and an administrative use permit.



USE	R-S	R-1	R-2	R-2(A)	UR3	UR4	NB	B	MU	L1 L2	HI	AG	SPECIAL REGULATIONS
RESIDENTIAL USES													
													<sup>10</sup> Buildings which provide shelter for survivors of domestic violence are allowed as a permitted use in all zones.
Temporary Extreme Weather Shelter	A <sup>9</sup>	A <sup>9</sup>	A <sup>9</sup>	A <sup>9</sup>	A	A	P	P	P	P	A <sup>9</sup>	A <sup>9</sup>	See EMC 19.13.190. <sup>9</sup> Use prohibited, except that pursuant to RCW 35.21.915, a religious organization may host the homeless on property owned or controlled by the religious organization whether within buildings located on the property or elsewhere on the property outside of buildings, subject to the conditions set forth in EMC 19.08.200 and an administrative use permit.
Family home (day care or adult)	P	P	P	P	P	P	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	P <sup>7</sup>		P	<sup>1</sup> TOD streets: Residential use on the ground floor cannot exceed 25% of the street frontage of the block. <sup>7</sup> Permitted only within an existing dwelling unit.
Group housing, <u>residential care facility Category 1</u>	P <sup>12</sup>	P <sup>12</sup>	P <sup>12</sup>	P <sup>12</sup>	P	P	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	P <sup>7</sup>			<sup>1</sup> TOD streets: Residential use on the ground floor cannot exceed 25% of the street frontage of the block. <sup>7</sup> Permitted only within an existing dwelling unit. <sup>12</sup> A conditional use permit is required for group housing residential care facilities serving more than six individuals.
Group housing, <u>Category 2</u>					P	P	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	P <sup>7</sup>			<sup>1</sup> TOD streets: Residential use on the ground floor cannot exceed 25% of the street frontage of the block. <sup>7</sup> Permitted only within an existing dwelling unit.
Group housing, <u>extended care facility Category 3</u>					A	P	A <sup>8</sup>	P <sup>8</sup>	P <sup>8</sup>	A <sup>8</sup>			<sup>8</sup> TOD or pedestrian streets: prohibited use on the ground floor.
Live/work unit							P	P	P	P	A		See EMC 19.08.125 for live/work unit requirements. See "Uses, accessory to permitted principal uses including home occupations" for residential zones.
Manufactured/mobile/RV park or tiny home community													The entry of manufactured homes, park models, recreational vehicles or tiny homes in an approved manufactured housing community is allowed. See EMC 19.08.210.
Rooming house					A	P	A <sup>8</sup>	P <sup>8</sup>	P <sup>8</sup>	A <sup>7</sup>		P	The number of rooms allowed in a rooming house shall not exceed the number of dwelling units allowed by the density standards of the zone in which the property is located; in the event the zone does not have density standards, then the density limits in the comprehensive plan shall be used.





USE	R-S	R-1	R-2	R-2(A)	UR3	UR4	NB	B	MU	LI1 LI2	HI	AG	SPECIAL REGULATIONS
RESIDENTIAL USES													
													<sup>7</sup> Permitted only within an existing dwelling unit. <sup>8</sup> TOD or pedestrian streets: prohibited use on the ground floor.
Secure community transition facility										C	C		
Short-term rentals	P	P	P	P	P	P	P	P	P			P	See EMC 19.08.150 for short-term rental requirements.

<sup>1</sup> TOD streets: Residential use on the ground floor cannot exceed twenty-five percent of the street frontage of the block.

<sup>2</sup> Allowed on property within a historic overlay zone.

<sup>3</sup> See Chapter 19.08 EMC for limitations on 2-unit dwellings in the R-1 and R-2 zones.

<sup>4</sup> Allowed only through the unit lot process for subdividing, as provided by Chapter 19.27 EMC.

<sup>5</sup> Allowed if meeting the minimum density requirements set forth in EMC 19.06.100.

<sup>6</sup> Prohibited in the LI2 zone and allowed in the LI1 zone only within Metro Everett. If on a TOD street, residential use on the ground floor cannot exceed twenty-five percent of the street frontage of the block.

<sup>7</sup> Permitted only within an existing dwelling unit.

<sup>8</sup> TOD or pedestrian streets: prohibited use on the ground floor.

<sup>9</sup> Use prohibited, except that pursuant to RCW 35.21.915, a religious organization may host the homeless on property owned or controlled by the religious organization whether within buildings located on the property or elsewhere on the property outside of buildings, subject to the conditions set forth in EMC 19.08.200 and an administrative use permit (REV II).

<sup>10</sup> Buildings which provide shelter for survivors of domestic violence are allowed as a permitted use in all zones.

<sup>11</sup> ~~Within the R-S, R-1 and R-2 zones, bed and breakfast houses shall be permitted only in homes individually listed on the national, state or Everett historical register. Homes within historic districts which are not individually listed on the national, state or Everett historical register are not eligible to become bed and breakfast houses. See EMC 19.08.140 for additional regulations pertaining to bed and breakfast houses.~~

<sup>12</sup> A conditional use permit is required for group housing residential care facilities serving more than six individuals.

